

**REMARKS**

Claims 1-19 are pending in this application. Claims 1-3, 5 and 11 have been amended. Specifically, claims 1-3 have been amended to recite a “suture eyelet” *in lieu* of the “suture loop” and claim 11 has been amended to address a typographical error. No new matter has been introduced. Claim 5 has been rewritten in independent form, to include all limitations of claim 1 and of intervening claims 3 and 4, and is now in condition for allowance. Claim 19 has been added.

Claims 1, 3, 7-9, 11, 12 and 15-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Jenkins, Jr. (US Patent No. 5,571,139) (“Jenkins”) in view of Grafton et al. (U.S. Patent No. 5,964,783) (“Grafton ‘783”). This rejection is respectfully traversed.

Amended independent claim 1 recites a “suture anchor” comprising “a bioabsorbable anchor body having a proximal end and a distal end” and “a suture eyelet formed of a strand of suture insert-molded into the bioabsorbable anchor body, the suture eyelet being disposed completely within the anchor body.”

Amended independent claim 11 recites an “insert-molded suture anchor” comprising “a bioabsorbable anchor body,” “a drive socket” and “a suture loop disposed completely within the drive socket of the bioabsorbable anchor body, the suture loop being formed of a strand of suture insert-molded into the anchor body.”

Jenkins relates to a “cannulated bone screw for anchoring bidirectional suture threads to bone . . . comprising a biocompatible body having a proximal end and a distal end, the body including exterior screw threads, preferably self-tapping, for inserting and

retaining the body into the bone.” (Abstract). Jenkins also teaches “a passageway extending through the body, the passageway . . . being sized to receive a suture thread therethrough, the proximal and distal portions each being sized to receive a suture thread knot.” (Abstract).

Grafton ‘783 relates to an “insert-molded suture anchor having a biodegradable polymer body molded around a loop of suture.” (Abstract). Grafton ‘783 teaches that “[A] drive head disposed on the proximal end of the body, and a screw thread spirals around the body.” (Abstract).

The subject matter of claims 1, 3, 7-9, 11, 12 and 15-17 would not have been obvious over Jenkins and Grafton ‘783, considered alone or in combination. Jenkins is silent about a suture anchor with “a suture eyelet formed of a strand of suture,” much less about a suture anchor with “a suture eyelet formed of a strand of suture insert-molded into the bioabsorbable anchor body,” as claim 1 recites. Jenkins teaches two suture knots 27, 28 disposed within body 13 of bidirectional suture anchor 1, and not a “suture eyelet,” much less a “suture eyelet” formed of suture which is insert-molded into the anchor, as in the claimed invention.

Grafton ‘783 fails to address the deficiencies of Jenkins. Grafton ‘783 does not teach or suggest “a suture eyelet . . . disposed completely within the anchor body,” as claim 1 recites. Loop 11 of Grafton ‘783 (which would arguably correspond to the “suture eyelet” of the claimed invention) is located outside the hexagonal drive head 10 and outside the body 4, and not “completely within the anchor body,” as in the claimed invention.

Jenkins and Grafton '783, considered alone or in combination, also fail to disclose, teach or suggest all limitations of claim 11. Jenkins is silent about an "insert-molded suture anchor," much less about an "insert-molded suture anchor" having "a bioabsorbable anchor body" and "a suture loop disposed completely within the drive socket of the anchor body," as claim 11 recites. Jenkins teaches suture anchor 1 having knots 27, 28 disposed within distal and proximal portions 25, 26. Jenkins teaches, however, that distal and proximal portions 25, 26 (which house knots 27, 28) are separate from drive socket 31 and emphasizes that "it is critical that drive socket 31 be sized to prevent a driving tool from contacting second suture thread knot 28 while the anchor is inserted into the bone." (Col. 5, ll. 8-10). This is because "[A]voidance of such detrimental contact [in Jenkins] is required to ensure the integrity of suture thread 30." (Col. 5, ll. 10-12). Thus, Jenkins teaches against "a suture loop disposed completely within the drive socket of the anchor body," as in the claimed invention.

Grafton '783 does not disclose, teach or suggest "a bioabsorbable anchor body" with "a suture loop disposed completely within the drive socket of the anchor body," as claim 11 recites. Loop 11 of Grafton '783 (which would arguably correspond to the "suture loop" of the claimed invention) is located outside the hexagonal drive head 10 and outside the body 4, and not "completely within . . . the anchor body," as in the claimed invention.

Claims 10, 14 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Jenkins and Grafton '783 in view of Grafton et al. (U.S. Patent No. 6,319,270) ("Grafton '270"). This rejection is respectfully traversed.

The subject matter of claims 10, 14 and 18 would not have been obvious over Jenkins, Grafton '783 and Grafton '270, whether considered alone or in combination. None of the cited references, alone or in combination, discloses, teaches or suggests all limitations of independent claims 1 and 11. Jenkins, Grafton '783 and Grafton '270 do not disclose, teach or suggest "a bioabsorbable anchor body" with "a suture eyelet formed of a strand of suture insert-molded into the bioabsorbable anchor body," the suture eyelet being "disposed completely within the anchor body," as in the claimed invention. As noted above, Jenkins and Grafton '783 do not disclose "a suture eyelet formed of a strand of suture insert-molded into the bioabsorbable anchor body, the suture eyelet being disposed completely within the anchor body." Grafton '270 teaches a headed bioabsorbable tissue anchor with a flat head for engaging tissue and continuous thread spiraling around a tapering central core. Grafton '270 does not even teach a suture eyelet or loop, much less a suture eyelet or suture loop having the characteristics recited in claims 1 and 11. For at least these reasons, the Office Action fails to establish a *prima facie* case of obviousness and withdrawal of the rejection of claims 10, 14 and 18 is respectfully requested.

Claims 4 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Jenkins and Grafton '783, in view of Jackson (U.S. Patent No. 6,454,772). This rejection is respectfully traversed.

Jenkins, Grafton '783 and Jackson, considered alone or in combination, do not disclose, teach or suggest all limitations of independent claims 1 and 11 and of dependent claims 4 and 13. As noted, Jenkins and Grafton '783 do not disclose "a suture loop disposed completely within the anchor body." Jackson fails to rectify the deficiencies of

Jenkins and Grafton '783. Jackson teaches a "set screw for locking a first implant in position relative to a second implant," the set screw being inserted by rotating the screw 1 into rod 61 (col. 8, ll. 65-67; col. 9, ll. 1-3), and not to an anchor which is provided with a suture loop disposed within the anchor and which is driven by employing a driver. For at least these reasons, the Office Action fails to establish a *prima facie* case of obviousness and withdrawal of the rejection of claims 4 and 13 is respectfully requested.

Allowance of all pending claims is solicited.

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